UNITED STATES PATENT AND TRADEMARK OFFICE

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HICKMAN PALERMO TRUONG & BECKER, LLP
2055 GATEWAY PLACE
SUITE 550
SAN JOSE, CA 95110

EXAMINER
TAYLOR, NICHOLAS R

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 August 2009*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12,18-29,37,38 and 41-48* is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12,18-29,37,38 and 41-48* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *10 October 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a)☐ All   b)☐ Some * c)☐ None of:

  1.☐ Certified copies of the priority documents have been received.

  2.☐ Certified copies of the priority documents have been received in Application No. _____ .

  3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____ .

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____ .

DETAILED ACTION

1.   Claims 1-12, 18-29, 37, 38, and 41-48 have been presented for examination and are rejected.

Response to Arguments

2.   Applicant's arguments filed August 4th, 2009, have been fully considered but they are deemed not persuasive.

3.   In the remarks, applicant argued in substance that:

(A) The prior art of Jones does not teach sending an access accept message containing an accounting record. Jones sends an account session key ("Acct-Session-Id) in the accept message, however, it is not an accounting record because it is not used to authorize a client but merely to track data sessions. Further, Jones references a "usual authentication and authorization process" that occurs elsewhere.

As to point (A), Jones teaches in response to a first Authentication, Authorization, and Accounting server receiving a request to authorize a client, said first server obtaining an accounting record for the client and authorizing said client based on said account record (Jones, see pg. 5, lines 10-25 overview where an AAA server receives a request to authorize a client and obtains a record; see also fig. 2 process). Jones

further teaches a RADIUS access accept message that includes the account record

within the access accept message (Jones, see pg. 10, lines 23-35 where the record is

logged and then sent to a second AAA server as part of a RADIUS start session

message; see also fig. 5B; pg. 7, lines 10-15).

Jones' disclosed access accept message includes, inter alia, an account session

key ("Acct-Session-Id") in the message. The key is an account record for the client that

is used to authorize the client, for example, by identifying and confirming "the existence

of a pre-existing data session" with the client (Jones, pg. 11). Applicant notes that

Jones discloses "perform[ing] the usual authentication and authorization process" in

addition to this step. However, it is respectfully submitted that additional, separate

authentication steps do not preclude teaching of a client authorization process

elsewhere. Applicant's claim terminology, including "authorizing said client," is given its

broadest reasonable interpretation in light of the specification.

(B) The prior art of Jones does not teach logging the accounting record. Jones is

silent as to logging. At best, Jones merely teaches storing a record in a cache, which

fails to teach logging because logging data implies storing data for a relatively long

period of time in a non-volatile memory location.

As to point (B), Jones teaches causing at least a portion of the accounting record

to be logged (Jones, see pg. 10, lines 23-35 where the record is logged and then sent to

a second AAA server as part of a RADIUS start session message; see also fig. 5B; pg.

7, lines 10-15). Applicant appears to argue a more narrow interpretation of the claim

language "causing the accounting record to be logged," whereby the term logging

requires a specific duration and medium beyond simply recording data. However, these

limitations are not present in the currently amended claim language. Although the

claims are interpreted in light of the specification, limitations from the specification are

not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed.

Cir. 1993).

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a
> printed publication in this or a foreign country, before the invention thereof by the applicant for a
> patent.

5.   Claims 1, 2, 4-12, 18, 19, 21-29, 37, 38, and 41-48 are rejected under 35

U.S.C. 102(a) as being anticipated by Jones et al. (WIPO Publication WO 03/030483).

6.   As per claims 1 and 18, Jones teaches a computer-implemented method for

improving service accounting in a network, the method comprising the steps of:

        in response to a first Authentication, Authorization, and Accounting server

receiving a request to authorize a client, said first server obtaining an accounting record

for the client, said first server authorizing said client based on said accounting record,

and (Jones, see pg. 5, lines 10-25 overview where an AAA server receives a request to authorize a client and obtains a record; see also fig. 2 process)

said first server sending an a Remote Authentication Dial In User Service Protocol (RADIUS) access accept message that includes the accounting record within the access accept message; (Jones, see pg. 9 line 26 to pg. 10, line 8, where the accounting record is within the access accept message; see also fig. 5A and pg. 7, lines 10-14; pg. 9, lines 1-9; and claims 1, 13, and 14 of pgs. 18 and 19)

causing the accounting record to be logged; a second AAA server receiving a RADIUS start session message that includes the accounting record within the start session message (Jones, see pg. 10, lines 23-35 where the record is logged and then sent to a second AAA server as part of a RADIUS start session message; see also fig. 5B; pg. 7, lines 10-15).

7.   As per claims 2 and 19, Jones teaches the system further comprising the step of obtaining the accounting record for the client from an external resource (Jones, e.g., see pg. 5, lines 25-30 where the resource may be local or external).

8.   As per claim 4 and 21, Jones teaches the system further wherein the client is selected from the group consisting of a wireless network client, a wired network client, and a dial up client (Jones, pg. 5, lines 19-24).

9.   As per claims 5 and 22, Jones teaches the system further wherein the step of

causing to be logged comprises causing the accounting record to be logged on a

dedicated logging device (Jones, see, e.g., pg. 11, lines 4-13).

10.   As per claims 6 and 23, Jones teaches the system further wherein the step of

causing to be logged comprises causing the accounting record to be logged on an

Authentication, Authorization, and Accounting server (Jones, pg. 5, line 25 to pg. 6, line

15; pg. 9, line 33 to pg. 10, line 8; and pg. 10, lines 23-35).

11.   As per claims 7 and 24, Jones teaches the system further wherein the step of

causing to be logged comprises causing the accounting record to be logged on a

network device (Jones, pg. 5, line 25 to pg. 6, line 15; pg. 9, line 33 to pg. 10, line 8;

and pg. 10, lines 23-35).

12.   As per claims 8 and 25, Jones teaches the system further wherein the step of

causing to be logged comprises causing the accounting record to be logged with a

session start log entry (Jones, see billing col. of figs. 5A, 5B, 6A, and 6B, wherein start

and stop log entries are inherent in tracking the duration of active sessions for

determining billing intervals).

13.   As per claims 9 and 26, Jones teaches the system further wherein the step of

causing to be logged comprises causing the accounting record to be logged with a

session stop log entry (Jones, see billing col. of figs. 5A, 5B, 6A, and 6B, wherein start

and stop log entries are inherent in tracking the duration of active sessions for

determining billing intervals).

14.   As per claims 10 and 27, Jones teaches the system further wherein the

accounting record comprises a handle to a second accounting record (Jones, see pg.

11, lines 4-18; pg. 13, lines 21-28; and pg. 16, lines 1-11).

15.   As per claims 11 and 28, Jones teaches the system further comprising the steps

of: retrieving the second accounting record using the handle to the second accounting

record; and causing the second accounting record to be logged (Jones, see pg. 11,

lines 4-18; pg. 13, lines 21-28; and pg. 16, lines 1-11).

16.   As per claims 12 and 29, Jones teaches the system further wherein the step of

said first server sending the accounting record further comprises said first server

sending data of said portion as a plurality of attribute-value pairs in said access accept

message (Jones, pg. 9, lines 33 to pg. 10, line 13).

17.   As per claims 37 and 41, Jones teaches the system further wherein said first

server and said second server are the same Authentication, Authorization, and

Accounting (AAA) server (Jones, pg. 5, line 25 to pg. 6, line 15; pg. 9, line 33 to pg. 10,

line 8; and pg. 10, lines 23-35).

18.   As per claims 38 and 42, Jones teaches the system further wherein said first

server and said second server are different load balanced Authentication, Authorization,

and Accounting (AAA) servers that are both configured to implement the Remote

Authentication Dial In User Service protocol (RADIUS) network protocol (Jones, pg. 5,

line 25 to pg. 6, line 15; pg. 9, line 33 to pg. 10, line 8; and pg. 10, lines 23-35).

19.   As per claims 43 and 46, Jones teaches the system further comprising wherein

the step of said first server sending a Remote Authentication Dial In User Service

protocol (RADIUS) access accept message that includes the accounting record further

comprises sending the portion in RADIUS Class Attributes or RADIUS Vendor Specific

Attributes (Jones, pg. 9, lines 33 to pg. 10, line 13).

20.   As per claims 44 and 47, Jones teaches the system further wherein the handle to

the second accounting record comprises an identifier of the second accounting record

that uniquely identifies the second accounting record from among a plurality of

accounting records (Jones, see pg. 11, lines 4-18; pg. 13, lines 21-28; and pg. 16, lines

1-11).

21.   As per claims 45 and 48, Jones teaches the system further wherein the identifier

of the second accounting record comprises one or more of an internet protocol address

associated with the client, an internet protocol address associated with the first or

second Authentication, Authorization, and Accounting (AAA) server, or a random string

(Jones, see pg. 11, lines 4-18; pg. 13, lines 21-28; and pg. 16, lines 1-11).

Claim Rejections - 35 USC § 103

22.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

23.   Claims 3 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Jones et al. (WIPO Publication WO 03/030483) and Wang et al. (U.S. PGPub

2003/0035409).

24.   This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

25.   As per claims 3 and 20, Jones teaches the above, yet fails to teach the step of

obtaining the accounting record for the client from a Lightweight Directory Access

Protocol directory.

Wang teaches a wireless service gateway using an AAA server that implements

the lightweight directory access protocol (Wang, paragraphs 0109-0115, 0186-0187,

and fig. 2 structure).

It would have been obvious to one of ordinary skill in the art, at the time the

invention was made, to have combined Jones and Wang to provide the LDAP protocol-

based account records in the system of Jones, because doing so would provide

additional protocol support for passing data between network nodes (Jones, see figs.

6A and 6B transmissions). Further, the use of the LDAP protocol in Jones would

combine several well-known elements in a manner that one skilled in the art could have

combined using known methods that yield predictable results.

Conclusion

26.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Nicholas Taylor whose telephone number is (571) 272-

3889. The examiner can normally be reached on Monday-Friday, 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Wing Chan can be reached on (571) 272-7493. The fax phone number for

the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

/NT/
Nicholas Taylor
Examiner
Art Unit 2441

/Larry Donaghue/
Primary Examiner, Art Unit 2454